

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

**ADRIAN KERMIT DUNCAN,**

Plaintiff,

**vs.**

**WARDEN BILLY MITCHEM  
and THE ATTORNEY  
GENERAL OF THE STATE OF  
ALABAMA,**

Defendant.

Civil Action Number  
**2:04-cv-00139-UWC-JEO**

**MEMORANDUM OPINION**

On December 27, 2005, the magistrate judge's report and recommendation was entered and the parties were allowed therein fifteen (15) days in which to file objections to the recommendations made by the magistrate judge. No objection has been filed.

After careful consideration of the record in this case, the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge.

Accordingly, an order DENYING the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 will be entered separately.

Done the 17<sup>th</sup> day of January, 2006.

A handwritten signature in black ink, appearing to read "U.W. Clemon", written in a cursive style.

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U.W. Clemon  
Chief United States District Judge